

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X	:	
HOGAN LOVELLS US LLP,	:	
	:	
Petitioner,	:	24-CV-5541 (AS)
	:	
-v-	:	<u>MEMORANDUM OPINION</u>
	:	<u>AND ORDER</u>
	:	
ISLAMIC EMIRATE OF AFGHANISTAN, as Successor :	:	
in Interest, and ISLAMIC REPUBLIC OF :	:	
AFGHANISTAN,	:	
	:	
Respondents.	:	
-----X	:	

ARUN SUBRAMANIAN, United States District Judge:

On July 22, 2024, Petitioner filed a Petition to Confirm Arbitration. ECF No. 1. On July 24, 2024, the Court set a briefing schedule for Petitioner’s submission of any additional materials in support of the Petition, Respondents’ opposition, and Petitioner’s reply. ECF No. 7. Petitioner served Respondents with the Petition, supporting materials, and the briefing schedule. ECF No. 21. Pursuant to the briefing schedule, which was updated to reflect several extensions, *see* ECF Nos. 9, 20, Respondents’ opposition was due no later than **November 26, 2024**. ECF No. 20. To date, Respondents have neither responded to the petition nor otherwise sought relief from the Award.

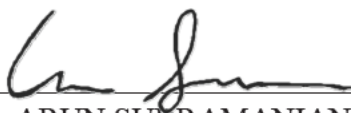
The Court must treat the Petition, even though unopposed, “as akin to a motion for summary judgment based on the movant’s submissions.” *Trs. for Mason Tenders Dist. Council Welfare Fund, Pension Fund, Annuity Fund & Training Program Fund v. Capstone Constr. Corp.*, 11-CV-1715 (JMF), 2013 WL 1703578, at *2 (S.D.N.Y. Apr. 19, 2013) (discussing in depth the legal standards for resolving unopposed petitions to confirm arbitration awards). After reviewing the petition and the supporting materials, the Court finds that there is no genuine issue of material fact precluding summary judgment as to all portions of the Award, as the Arbitrator’s decision provides more than “a barely colorable justification for the outcome reached.” *Id.* at *3 (internal quotation marks omitted). Nor is there any justification under Section 10(a) of the Federal Arbitration Act for vacating the Award.

Accordingly, the Court grants Petitioner’s unopposed petition to confirm the entire Award, including interest and costs as provided in the Award. Petitioner is directed to file their Proposed Judgment electronically, using the ECF Filing Event “Proposed Judgment,” by no later than **January 10, 2025**.

Petitioner also requests relief in the amount of the costs incurred in this proceeding. Dkt. 1 at 7. To the extent that Petitioner seeks costs in this proceeding, it should file a letter on or before **January 10, 2025** explaining the total costs they seek to be awarded, the reasonableness of the costs, and the contractual or other basis for the assessment of costs against Respondents.

SO ORDERED.

Dated: January 2, 2024
New York, New York



ARUN SUBRAMANIAN
United States District Judge